

Jean Latka
Chair

Brandice Eslinger
Vice Chair

Dennis Flores
City Council Representative



Planning & Zoning Commission

Chris Kaufman

David Webb

Brian Lucas

Raymond Seybold

Z-14-08

TO: City of Pueblo, Planning and Zoning Commission
FROM: Beritt Odom, Sr. Planner
THROUGH: Steven Meier, Director
DATE: December 10, 2014
SUBJECT: **1250 Drew Dix Parkway**
APPLICANT: **Russel B. Hall, Highline Engineering and Surveying**
PROPERTY OWNER: WL Enterprises LTD
LOCATION: **1250 Drew Dix Parkway (6470 N. Elizabeth)**
EXISTING ZONE: A-1, Agricultural One
PROPOSED ACTION: B-3, Highway Arterial Business District
CONCURRENT REQUESTS: S-14-03, Pinon Ridge Commercial Center Amendment No. 1

REQUEST:

The applicant is requesting to rezone 8.8 acres of land, south of Lot 1, Block 1, Pinon Ridge Commercial Center.

ANALYSIS:

The proposed request conforms with the Pueblo Comprehensive Plan designation and meets the minimum zone district requirements.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make the necessary findings of fact to forward a recommendation to City Council that the rezoning be approved.

STAFF REVIEW AND FINDINGS:

The subject property is located south of the Pinon Ridge Commercial Center Subdivision, which was subdivided in 2009 and houses Loves Travel Stop. The property owner is proposing to expand the existing 5.27 acre parking lot to 8.8 acres by developing the parcel, located south of the existing parking lot, into an improved and landscaped parking lot. The parking lot proposal requires the subdivision and rezoning of the unimproved southern parcel.

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS

CHARACTER AND COMPATIBILITY:

□ **Site Character:**

The property is currently undeveloped and is located directly south of the Loves Travel Stop, convenience store and truck stop.

□ **Neighborhood Compatibility:**

North B-3, Highway and Arterial Business District

East I-2, Light Industrial District

South A-1, Agricultural One District

West A-1, Agricultural One District

This neighborhood is a mix of undeveloped prairie, industrial and commercial uses; therefore, the proposed rezoning is considered consistent with the neighboring properties.

□ **Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as “Urban Residential.” The Pueblo Comprehensive Plan designation of *Urban Residential* allows appropriate, community scale commercial services to be developed.

The proposed rezoning is consistent with the Comprehensive Plan.

ABILITY TO COMPLY WITH THE PROPOSED ZONE DISTRICT:

□ **Minimum lot size and area:**

- The B-3, Highway Arterial Business District requires minimum lot size of 5,000 square feet, the proposed lot to be rezoned is 8.8-acres, exceeding the minimum lot size.
- All dimensional requirements for the B-3 Zone District exceeded with the proposed rezoning.

□ **Lot coverage:**

- The proposed parking lot expansion will not exceed the 50-percent maximum lot coverage requirements of the B-3 Zone District.

□ **Conclusion:**

The property has the ability to comply with the proposed zone district.

ZONING AMENDMENT TEST:

The standard for accepting an amendment to the zoning map is that the proposed zoning action must either:

- 1) Further the goals and objectives of the comprehensive land use plan, or
 - Comments **The rezoning is consistent with the recommendations of the Comprehensive Plan designation.**
- 2) Show that the area has changed significantly since the adoption of the comprehensive land use plan
 - Comments **Not Applicable**
- 3) Show that there was a mistake or error made in the original zoning of the property.
 - Comments **Not Applicable**

APPLICATION REQUIREMENT PER §17-6-1 OF THE PUEBLO MUNICIPAL CODE:

The applicant's name and address and the name and address of any person, firm or corporation represented by such applicant in the application

- Comments **The application contains the required information.**

The interest of the applicant and the interest of the person, firm or corporation represented by the applicant, be it legal, sales development, operation or other interest.

- Comments **The application contains the required information**

The nature of the amendment and a legal description of the property that would be affected by the amendment.

- Comments **The full legal description of the property to be zoned B-3 is attached to the application.**

A statement of the facts which the applicant believes justify the amendment; provided; however, that when any amendment changing the zoning map is requested, the following additional information shall be furnished:

- Comments **The application contains the required information**

A general description of the proposed development to the distance which will be affected; such description including subjects of environmental effect, economic effect and traffic effect, if any; and such description carried out in scope and detail to the extent needed to support the requested amendment and as may be required by the Planning and Zoning Commission.

- Comments **The rezoning is assumed to not have an adverse impact on the economy or traffic.**

A tentative site plan showing proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation.

- Comments **A final site plan must be submitted prior to building permit approval.**

A statement of the proposed time schedule for beginning and completion of development.

- Comments **The application contains the required information**

A statement reasonably indicating the applicant's economic responsibility and capability of accomplishing the development for which a zoning amendment is requested.

- Comments **The application contains the required information**

PUBLIC WORKS AND ENGINEERING COMMENTS

- None

TRANSPORTATION COMMENTS

- None

STORMWATER COMMENTS

- None

SANITARY SEWER COMMENTS

- None

PARKS AND RECREATION COMMENTS

- None

REGIONAL BUILDING COMMENTS

- None

BOARD OF WATER WORKS COMMENTS

- None

COLORADO DEPARTMENT OF TRANSPORTATION COMMENTS

- None

COMCAST COMMENTS

- None

XCEL ENERGY COMMENTS

- None

QWEST COMMENTS

- None

FIRE DEPARTMENT COMMENTS

- None

BLACK HILLS ENERGY COMMENTS

- None

ATTACHMENTS:

- A. Aerial Photograph
- B. Zoning Map
- C. Comprehensive Plan Map
- D. Application
- E. Rezoning Exhibit

Z-14-08



Exhibit A. Aerial Photograph

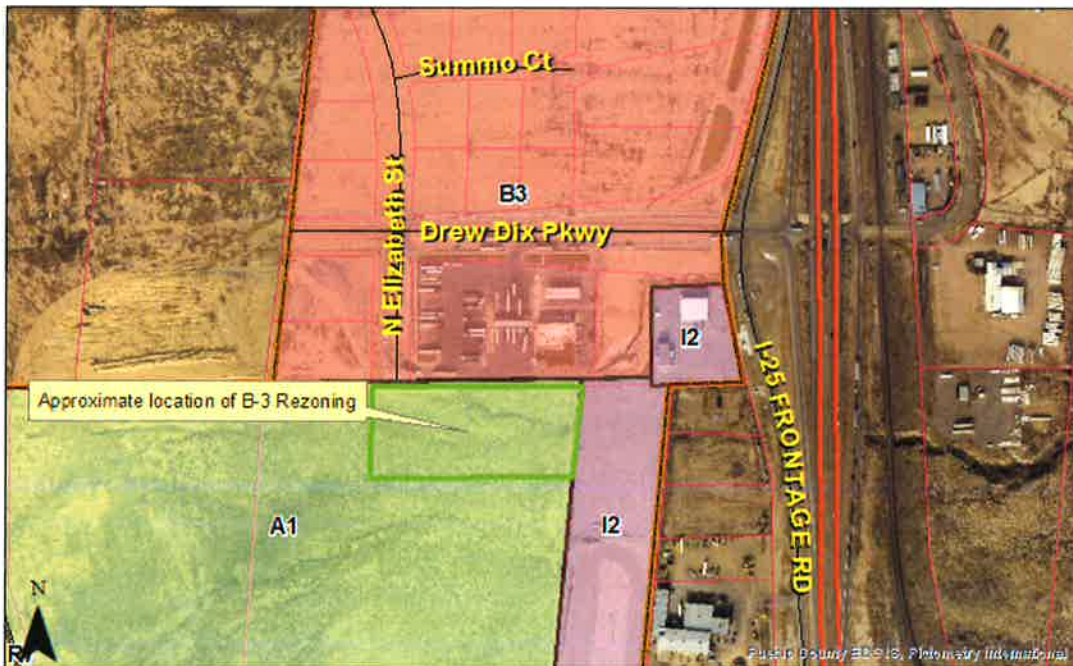


Exhibit B. Zoning Map

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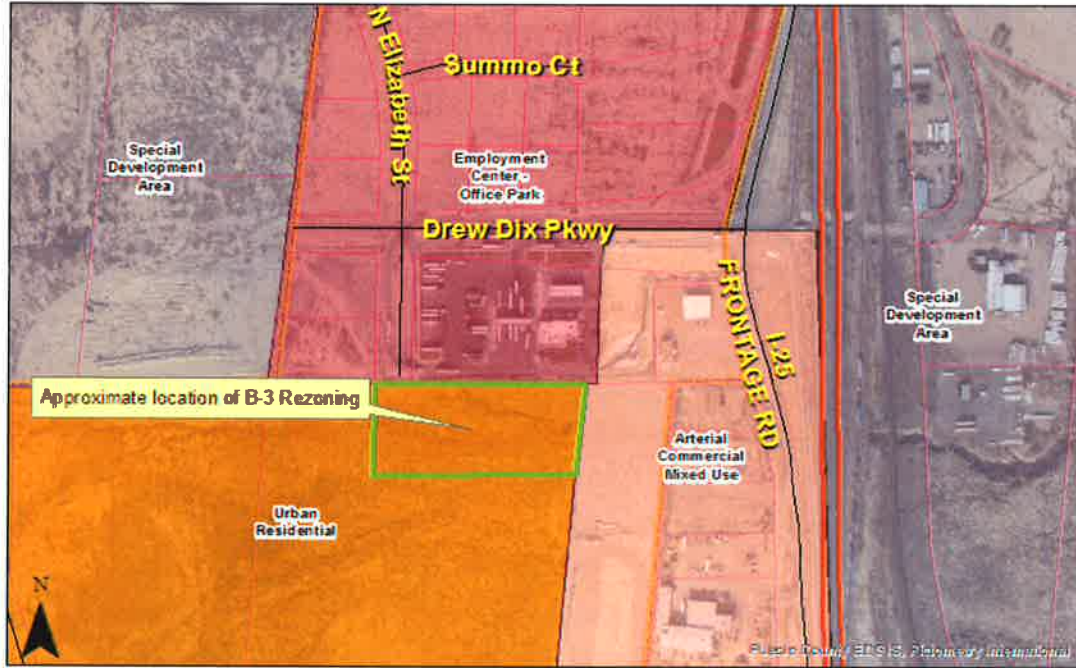
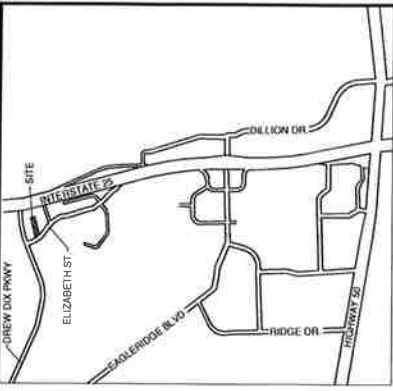
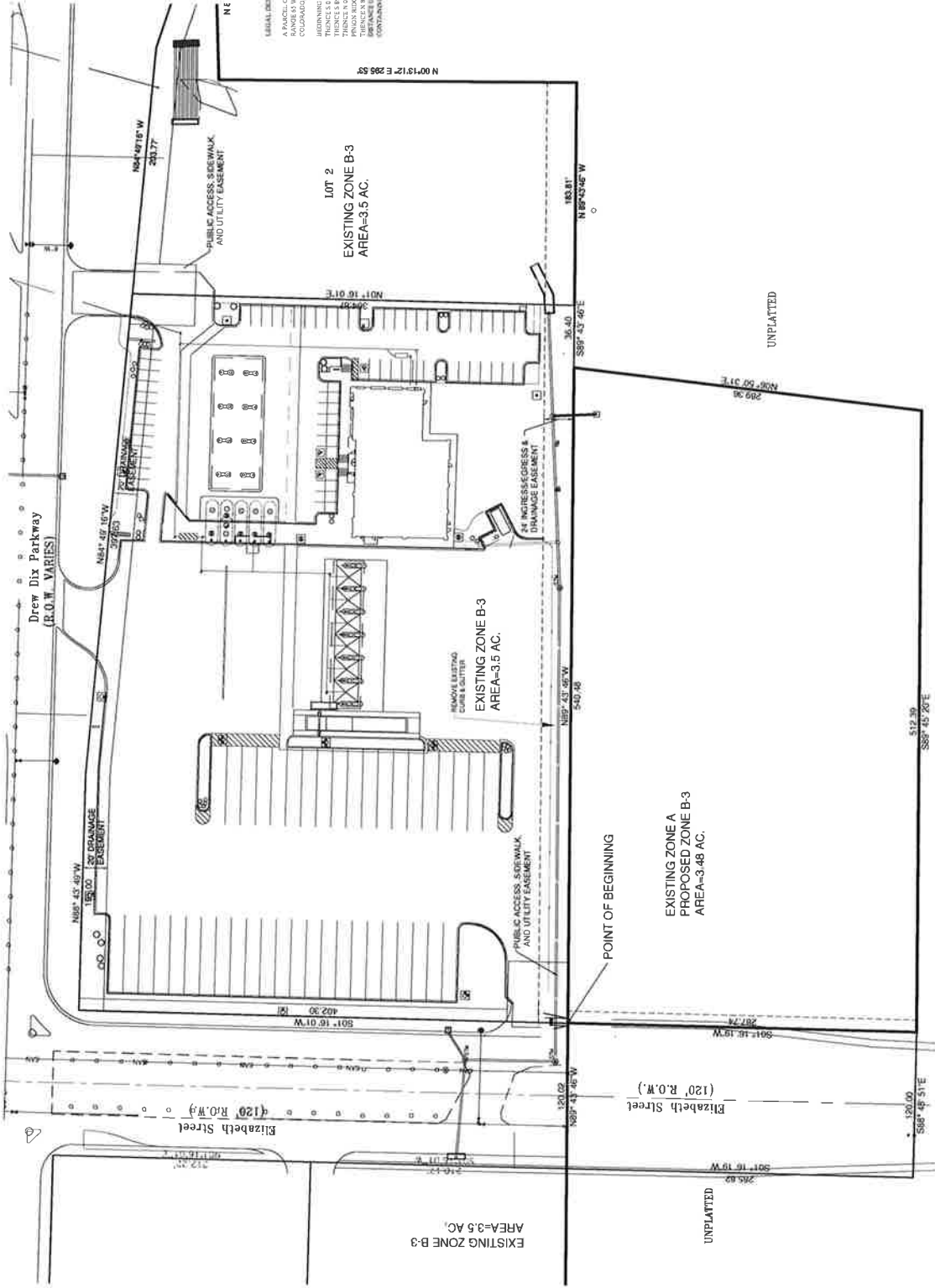


Exhibit C. Comprehensive Plan Map

RE-ZONE MAP EXHIBIT FOR A PORTION OF LOT 1, BLOCK 1 OF PINION RIDGE COMMERCIAL CENTER AMENDMENT NO. 1

LOCATED WITHIN THE NORTHWEST 1/4 OF SECTION 1, T. 26 S. R. 65 W. OF THE 6th P.M.
CITY OF PUEBLO, COUNTY OF PUEBLO, STATE OF COLORADO.



VICINITY MAP
N.T.S.

LEGAL DESCRIPTIONS
 A PORTION OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 26 SOUTH,
 RANGE 65 WEST, COUNTY OF PUEBLO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1 OF PINION RIDGE COMMERCIAL SUBDIVISION,
 THENCE S17°59'16" W. A DISTANCE OF 207.74 FEET,
 THENCE S89°27'11" E. A DISTANCE OF 270.24 FEET TO A POINT ON THE SOUTHERN LINE OF LOT 1, BLOCK 1 OF
 PINION RIDGE COMMERCIAL SUBDIVISION,
 THENCE S88°45'22" E. A DISTANCE OF 120.00 FEET TO A POINT ON THE SOUTHWEST CORNER OF A
 CONTAINING 11.588 SQUARE FEET FOR 1.47 ACRES MORE OR LESS.



Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #:

| | | | | |
|--|--|----------------------------|---|------------|
| Contact Info | Property Owner | | Applicant | |
| | Name: Rick Shuffield | | Name: Russell B. Hall | |
| | Company: Loves Travel Stop | | Company: Highline Engineering & Surveying | |
| | Address: PO Box 26210, OK City | Zip: 73126 | Address: 9928 Bluestar Dr. Park | Zip: 80138 |
| | Phone: (405) 302-6646 | | Phone: (303) 889-0044 | |
| | Email: | | Email: highlineeng@aol.com | |
| | Engineer | | Surveyor | |
| | Name: Russell B. Hall | | Name: Russell B. Hall | |
| | Company: Highline Engineering & Surveying | | Company: Highline Engineering & Surveying | |
| | Address: 9928 Bluestar Dr. Parker | Zip: 80138 | Address: 9928 Bluestar Dr. Park | Zip: 80138 |
| Phone: (303) 889-0044 | | Phone: (303) 889-0044 | | |
| Email: highlineeng@aol.com | | Email: highlineeng@aol.com | | |
| <i>The applicant will be the primary contact unless otherwise noted.</i> | | | | |
| Property Info | Project Location: 1250 Platteville Blvd. <small>(address or general description)</small> | | | |
| | Parcel No(s): 501008001, 501000044 | | | |
| | Existing Zone: A, B-3 | | Proposed Zone (if applicable): B-3 | |
| | PUD Name (if applicable): | | | |
| Project Scope | Project Name: Loves Travel Stop 1st Amendment | | | |
| | Scope of work: | | | |
| | <input checked="" type="checkbox"/> Lot Line Rearrangement: | | | |
| | # of existing lots: 1 Total acres: 8.8 | | | |
| | <input type="checkbox"/> Overall Development Plan | | | |
| | <input checked="" type="checkbox"/> Rezoning From: A To: B-3 | | | |
| | <input checked="" type="checkbox"/> Site Plan Review: | | | |
| | <input type="radio"/> HARP <input checked="" type="radio"/> Development Plan <input type="radio"/> PUD <input type="radio"/> Student Housing | | | |
| | <input type="checkbox"/> Special Area Plan | | | |
| | <input type="checkbox"/> Street Name Change: | | | |
| Existing Name: _____ Proposed Name: _____ | | | | |
| <input checked="" type="checkbox"/> Subdivision: # of lots: 1 Total acres: 8.8 | | | | |
| <input type="checkbox"/> Text Amendment | | | | |
| <input type="checkbox"/> Vacation: | | | | |
| <input type="radio"/> Street <input type="radio"/> Alley <input type="radio"/> Easement <input type="radio"/> Other: _____ | | | | |
| <input type="checkbox"/> Other: _____ | | | | |

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| | | |
|----------------------------|--|--|
| Project Information | Provide a brief description of the proposed request: (separate narrative as Attachment A also required) <u>Add a 3.5 acre truck parking and</u> | |
| | <u>Tire service building to the existing 5.3 acre Loves Travel Stop</u> | |
| | What is the total acreage included in the project? <u>8.8</u> | |
| | What is the proposed use of the property: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Multi-family <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____ | |
| | Are there any other pending or recently approved Land Use applications regarding this property? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list: <u>Loves Travel Stop development plan approved in fall 2010</u> | |
| Attachments | Attachment Checklist | |
| | The following list of attachments are required to accompany all applications: <input type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific <input type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input type="checkbox"/> C. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us) <input type="checkbox"/> D. Additional information as required by the P&Z Submittal Requirements Sheet . | |
| Terms | By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms: | |
| | 1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections. 2. There are no known hazards or vicious animals present on the subject property. 3. All information contained in this application, is true and accurate to the best of my knowledge. 4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 5. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense. | |
| Signatures | Property Owner | |
| | Print Name: | <u>Rick Shuffield</u> |
| | Signature: | <u>Rick Shuffield / Director</u> Date: <u>9-2-14</u> |
| | Applicant, if different from Property Owner | |
| Signatures | Print Name: | <u>Russell B. Hall</u> |
| | Signature: | _____ Date: _____ |

| | | | |
|------------------------|--|--|----------|
| Office Use Only | Zoning Compliance (Completed by City Staff) | | Receipt: |
| | Application received by: | Date: | |
| | Application checked for completeness by: | Date: | |
| | Case Manager: | Fee Paid: | |
| | Hearing date: | <input type="checkbox"/> Approved <input type="checkbox"/> Denied | |
| Case #: | <input type="checkbox"/> Approved w/conditions | | |